


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 1248 North Broadway		

TO

Mr. David Tanner, Executive Director  
Board of Municipal and Zoning Appeals  
417 East Fayette Street, 14<sup>th</sup> Floor

DATE: October 31, 2012

**REQUEST**

The Department of Planning has received Jose Gamez's Board of Municipal and Zoning Appeals (BMZA) application to rehabilitate the premises and use it as two dwelling units. We understand that this appeal was scheduled for hearing on October 30, 2012, but, because adverse weather conditions prevented that meeting of the Board, is now rescheduled for November 27, 2012.

**SITE**

1248 North Broadway is located on the west side of the street, approximately 61' south of the intersection with Preston Street. This property measures approximately 15' by 83' and is currently improved with a three-story attached residential building measuring approximately 15' by 66'. This site is zoned R-8 and is located within the Oliver Urban Renewal Plan area and the Old East Baltimore National Register Historic District.

**ANALYSIS**

Use: In this zoning district, multiple-family attached dwellings are a permitted use, and so are allowed (§4-1101).

Conversion of Dwellings: In all districts except the R-2, R-4, R-5, and R-6 Districts, the Board may authorize, as a conditional use, the conversion of a building for use by more than one family, as long as the number of families permitted conforms with the applicable bulk regulations for the district in which the building is located (§3-305.b.1). In the R-7 and R-8 Districts, the conversion of a 1- or 2-family dwelling to additional dwelling units may be authorized, but only by a conditional-use ordinance. As this property is currently vacant and was the subject of a Vacant House Notice issued in 2007, any prior multiple-family use of the property has been discontinued or abandoned, thus an ordinance would be required for approval of this application.

**RECOMMENDATION**

The Department of Planning recommends disapproval of this appeal, because the Board is not authorized to approve conversion of single-family or 2-family dwellings to additional dwelling units in R-8 Zoning Districts. The applicant should request introduction of a bill for an ordinance to authorize the proposed use of the property.

TJS/wya/mf

cc: Jose Gamez, Appellant